

REMARKS

This Amendment is responsive to the official action dated January 6, 2009. Claims 1-20 were pending in the application. In the official action, claims 1-20 were rejected. In this Amendment, claims 1 and 10 have been amended. Claims 1-20 thus remain for consideration.

Applicants submit that claims 1-20 are in condition for allowance and request withdrawal of the rejections in light of the following remarks.

§112 Rejections

Claims 1-20 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement.

Claims 1 and 10 have been amended. Applicants submit that the amendments to claims 1 and 10 render claims 1-20 compliant with §112. Accordingly, Applicants request that the rejections under §112 be withdrawn.

§102 and §103 Rejections

Claims 1-4 and 10-13 were rejected under 35 U.S.C. §102(b) as being anticipated by Bienek et al. (WO 02/078388 A2).

Claims 5-9 and 14-20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Bienek in view of Masako et al. (JP-8-191225-A).

Applicants submit that the independent claims (claims 1 and 10) are patentable over Bienek and Masako (collectively "the cited references").

Applicants' invention as recited in claim 1 is directed toward an audio signal processing method. The claim recites that an audio signal is supplied to a plurality of digital filters, and that the outputs of the filters are supplied to a plurality of speakers. The claim further recites that at least one amplitude characteristic of the plurality of

digital filters is adjusted "such that the frequency response to the audio signal at [a] first point in [a] sound field is lower than the frequency response to the audio signal at a second point in the sound field." Claim 10 includes a similar recitation. Supporting disclosure for the quoted recitation can be found in the specification at, for example, paragraph [0063].

Neither of the cited references discloses the quoted recitation. In particular, Applicants note that Bienek discloses applying "window functions" to respective signals (or "channels") on a signal-by-signal basis, (Bienek page 26, line 20 to page 27, line 26; and Fig. 11) and is silent as to the frequency response to any one particular signal at any one particular point in a sound field. Accordingly, Applicants believe that claims 1 and 10 are patentable over the cited references - taken either individually or alone - on at least this basis.

Further, since dependent claims inherit the limitations of their respective base claims, Applicants believe that dependent claims 2-9 and 11-20 are patentable over the cited references for at least the same reasons as discussed in connection with the independent claims.

Applicants respectfully submit that all of the claims now pending in the application are in condition for allowance, which action is earnestly solicited. If any issues remain, or if the Examiner has any further suggestions, he/she is invited to telephone the undersigned at (908) 654-5000.

The Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 12-1095.

The Examiner's consideration of this matter is  
gratefully acknowledged.

Dated: April 6, 2009

Respectfully submitted,

By \_\_\_\_\_

Bruno Polito

Registration No.: 38,580

LERNER, DAVID, LITTBENBERG,

KRUMHOLZ & MENTLIK, LLP

600 South Avenue West

Westfield, New Jersey 07090

(908) 654-5000

Attorney for Applicant

981910\_1.DOC